

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GEORGE A. LAGUER,

Plaintiff,

v.

H. ARREOLA, et al.,

Defendants.

No. 1:24-cv-00979-KES-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS REGARDING  
DISMISSAL OF CERTAIN CLAIMS AND  
DEFENDANTS

Doc. 12

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On September 26, 2024, the assigned magistrate judge screened plaintiff's complaint and found that she stated a cognizable claim for failure to protect against defendants August Vasquez, L. Pantoja, F. Correia, and patio security and escort officers (John Does 1 through 3) but failed to state any other cognizable claims for relief. Doc. 9. The magistrate judge provided plaintiff the opportunity to either file a first amended complaint or notify the Court of her willingness to proceed only on the cognizable claim identified in the screening order. *Id.* On October 29, 2024, plaintiff filed a notice that she did not wish to file an amended complaint and was willing to proceed on only the cognizable claim the magistrate judge identified. Doc. 10.

1 Accordingly, on October 31, 2024, the magistrate judge issued findings and  
2 recommendations that this action proceed on plaintiff's failure to protect claim against defendants  
3 August Vasquez, L. Pantoja, F. Correia, and patio security and escort officers (John Does 1  
4 through 3), and that all other claims and defendants be dismissed for failure to state a cognizable  
5 claim for relief. Doc. 12. The findings and recommendations were served on plaintiff and  
6 contained notice that any objections were to be filed within fourteen (14) days after service. *Id.*  
7 Plaintiff did not file any objections to the findings and recommendations and the deadline to do so  
8 has passed. *Id.*

9 In accordance with the provisions of 28 U.S.C. § 636(b)(1) and Local Rule 302, this Court  
10 has conducted a de novo review of this case. Having carefully reviewed the file, the Court adopts  
11 the findings and recommendations in full.

12 Accordingly:

- 13 1. The findings and recommendations issued on October 31, 2024, (Doc. 12), are  
14 ADOPTED IN FULL;
- 15 2. This action shall proceed on plaintiff's failure to protect claim against Defendants August  
16 Vasquez, L. Pantoja, F. Correia, and patio security and escort officers (John Does 1  
17 through 3);
- 18 3. All other claims and defendants are dismissed from this action for failure to state a claim  
19 upon which relief may be granted; and
- 20 4. This action is referred back to the assigned magistrate judge for proceedings consistent  
21 with this order.

22  
23  
24 IT IS SO ORDERED.

25 Dated: February 10, 2025

  
UNITED STATES DISTRICT JUDGE